



General Assembly

Substitute Bill No. 5231

February Session, 2012

* ____HB05231INS__031412__ *

AN ACT CONCERNING AUTOMOTIVE GLASS WORK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-354 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) No [automobile] motor vehicle physical damage appraiser shall
4 require that appraisals, [or] repairs or automotive glass work should or
5 should not be made in a specified facility or repair shop or shops.

6 (b) No insurance company doing business in this state, or agent or
7 adjuster for such company shall (1) require any insured to use a
8 specific person for the provision of [automobile] motor vehicle (A)
9 physical damage repairs, [automobile] or (B) glass replacement, glass
10 repair service or glass products, or (2) state that choosing a facility
11 other than a motor vehicle repair shop or glass shop participating in a
12 motor vehicle repair or an automotive glass work program established
13 by such company will result in delays in repairing the motor vehicle or
14 glass or a lack of guarantee for repair work.

15 (c) Any appraisal or estimate for a motor vehicle physical damage
16 claim written on behalf of an [insurer] insurance company shall
17 include the following notice, printed in not less than ten-point boldface
18 type:

NOTICE:

YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR SHOP WHERE THE DAMAGE TO YOUR MOTOR VEHICLE WILL BE REPAIRED.

(d) (1) If there is oral communication between an insurance company doing business in this state or a third-party claims administrator for such company and an insured regarding motor vehicle glass replacement, glass repair service or glass products, in the initial contact with the insured, the company or third-party claims administrator shall state to the insured: "You have the right to choose the licensed glass shop where the damage to your motor vehicle will be repaired. If you have a preference, please tell us now to assist us in processing your claim."

(2) No insurance company or third-party claims administrator for such company shall provide an insured with the name of or direct an insured to a motor vehicle glass shop with which the insurance company or third-party claims administrator is affiliated, unless such company or claims administrator provides the insured with the names of additional motor vehicle glass shops in the area where the motor vehicle is to be repaired. The insurance company or the third-party claims administrator for such company may refer the insured to a list on the Internet of such company's or claims administrator's approved motor vehicle glass repair shops in this state.

Sec. 2. Subsections (a) and (b) of section 38a-364 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) For the purposes of sections 14-12b and 14-12c, subsection (a) of section 14-13, sections 14-213b and 14-217 and this section, "private passenger motor vehicle" [shall have] has the same meaning as provided in subsection (e) of section 38a-363.

(b) Each insurance company that issues private passenger motor

50 vehicle liability insurance providing the security required by sections
 51 38a-19 and 38a-363 to 38a-388, inclusive, shall issue annually to each
 52 such insured an automobile insurance identification card, in duplicate,
 53 for each insured vehicle, one of which shall be presented to the
 54 commissioner as provided in section 14-12b and the other carried in
 55 the vehicle as provided in section [14-12f] 14-13. Except as provided in
 56 subsection (c) of this section, such card shall be effective for a period of
 57 one year and shall include the name of the insured and insurer, the
 58 policy number, the effective date of coverage, the year, make or model
 59 and vehicle identification number of the insured vehicle and an
 60 appropriate space wherein the insured may set forth the year, make or
 61 model and vehicle identification number of any private passenger
 62 motor vehicle that becomes covered as a result of a change in the
 63 covered vehicle during the effective period of the identification card.
 64 When an insured has five or more private passenger motor vehicles
 65 registered in this state, the insurer may use the designation "all owned
 66 vehicles" on each card in lieu of a specific vehicle description. Each
 67 insurance company that delivers, issues for delivery or renews such
 68 private passenger motor vehicle liability insurance in this state [on or
 69 after January 1, 2009,] shall include on such card, the following notice,
 70 printed in capital letters and boldface type:

71 NOTICE:

72 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR
 73 SHOP OR GLASS SHOP WHERE THE DAMAGE TO YOUR MOTOR
 74 VEHICLE WILL BE REPAIRED.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	38a-354
Sec. 2	October 1, 2012	38a-364(a) and (b)

INS Joint Favorable Subst.